

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

V.

MICHAEL D. BRYANT,

Defendant.

NO. CR-03-245-RHW
CV-08-005-RHW

ORDER DENYING DEFENDANT'S MOTION FOR RECONSIDERATION

Before the Court is Petitioner's Objections to Proposed Findings and
Recommendations of United States Magistrate Judge's Report (Ct. Rec. 203).

On November 18, 2008, the Court entered an Order Denying Defendant's 2255 Motion and Denying Motion for New Trial (Ct. Rec. 202). On December 8, 2008, Defendant filed a document entitled "Petitioners Objections to Proposed Findings and Recommendations of United States Magistrate Judge's Report." The Court believes that this document was filed in error because no proposed findings and recommendations were filed in this case, and because the objections appear to address arguments that were not raised in Defendant's § 2255 motion and motion for new trial. To the extent Defendant is attempting to ask the Court to reconsider the denial of his § 2255 motion, the Court finds that Defendant has not met his burden in this regard. *See 389 Orange Street Partners v. Arnold*, 179 F.3d 656, 665 (9th Cir. 1999) (holding that motions for reconsideration should not be granted, absent highly unusual circumstances, unless the district court is presented with the need to correct a clear error or prevent manifest injustice, newly discovered evidence is introduced, or there is an intervening

¹ change in the controlling law).

Accordingly, IT IS HEREBY ORDERED:

3 1. Defendant's Objections to Proposed Findings and Recommendations of
4 United States Magistrate Judge's Report (Ct. Rec. 203) is **DENIED**.

5 **IT IS SO ORDERED.** The District Court Executive is hereby directed to enter
6 this order and to furnish a copy to counsel and Defendant.

DATED this 16th day of December, 2008.

S/ Robert H. Whaley

ROBERT H. WHALEY
Chief United States District Judge

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